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16/6

Docket No. JBP-521

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Librizzi et al.

Serial No. : 09/676,876 Art Unit: 1616

Filed : September 29, 2000 Examiner: K.M. George

For : METHOD FOR CALMING HUMAN BEINGS USING PERSONAL CARE COMPOSITIONS

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

February 13, 2004  
(Date of Deposit)

Michele G. Mangini  
(Name of applicant, assignee, or Registered Representative)

February 13, 2004  
(Date of Signature)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with  the first or  second After Final Submission, therefore:

- Statement in Accordance with §1.97(e) (attached);  
or
- Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- Statement in Accordance with §1.97(e) (attached);  
or

Please charge Deposit Account No. 10-  
0750/ / the fee of \$180.00 as set forth in  
S1.17(p).

In accordance with S1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under S1.113 or a Notice of Allowance under S1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with S1.97(e) as set forth below and the fee of \$180.00 as set forth in S1.17(p).

Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a) (2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage

under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a) (2) (i)).

There are no listed references which are not in the English language.

The relevance of those listed references which are not in the English language can be found in an English-language abstract attached thereto.

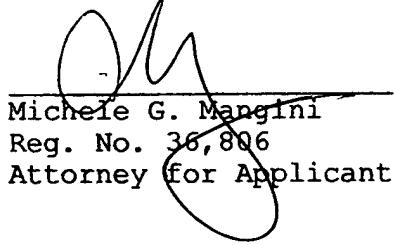
Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Applicants further request the Examiner to review and initial Form 1449 and Form 609D mailed on 2 June 2003 and pages 5-7 of Form 1449 for references resubmitted with Applicants' Information Disclosure Statement also mailed on 2 June 2003.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/JBP521/MGM. This form is submitted in triplicate.

Respectfully submitted,

  
\_\_\_\_\_  
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DATED: February 13, 2004



FEB 17 2004

PTO/SB/08A (08-00)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for Form 1449A/PT9

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 4

<b>Application Number</b>	09/676,876
<b>Filing Date</b>	September 29, 2000
<b>First Named Inventor</b>	Librizzi et al.
<b>Group Art Unit</b>	1616
<b>Examiner Name</b>	K.M. George
<b>Attorney Docket Number</b>	JBP-521

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>				
		JP	05-085928	B2	Nippon Oil & Fats Co Ltd	4-06-1993	w/English Abstract	
		JP	07-267814	A	Shiseido Co Ltd	10-17-1995	w/English Abstract	
		JP	08-157323	A	Kose Corp	6-18-1996	w/English Abstract	
		JP	08-245357	A	Shiseido Co Ltd	9-24-1996	w/English Abstract	
		JP	09-020630	A	Nippon Zetotsuku KK	1-21-1997	w/English Abstract	
		JP	09-030923	A	Shiseido Co Ltd	2-04-1997	w/English Abstract	
		JP	09-030924	A	Shiseido Co Ltd	2-04-1997	w/English Abstract	

Examiner Signature	Date Considered	
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<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Sheet 2 of 4

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<b>Examiner Name</b>	K.M. George
<b>Attorney Docket Number</b>	JBP-521

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		Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>				
		JP	09-067242	A	Pentel KK	3-11-1997	w/English Abstract	
		JP	09-077653	A	Advance Co Ltd	3-25-1997	w/English Abstract	
		JP	09-087129	A	Shiseido Co Ltd	3-31-1997	w/English Abstract	
		JP	09-235219	A	Shiseido Co Ltd	9-09-1997	w/English Abstract	
		JP	10-203924	A	Shiseido Co Ltd	8-04-1998	w/English Abstract	
		JP	11-049639	A	Kanebo Ltd	2-23-1999	w/English Abstract	
		JP	10-203957	A	Kao Corp.	8-04-1998	w/English Abstract	
		JP	2000-034215	A	Shiseido Co Ltd	2-02-2000	w/English Abstract	

Examiner Signature	Date Considered	
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## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

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Sheet 3 of 4

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<b>Filing Date</b>	September 29, 2000
<b>First Named Inventor</b>	Librizzi et al.
<b>Group Art Unit</b>	1616
<b>Examiner Name</b>	K.M. George
<b>Attorney Docket Number</b>	JBP-521

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		Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>				
		JP	2000143477	A	Kao Corp	5-23-2000	w/English Abstract	
		JP	2001233728	A	Sunstar Chem Ind Co Ltd (Sunz)	8-28-2001	w/English Abstract	
		AU	6015990	B	The Procter & Gamble Company	2-07-1991	(Claims and Abstract)	
		AU	7890191	B	Sunstar Kabushiki Kaisha	12-31-1991	(Claims and Abstract)	
		AU	6016190	B	The Procter & Gamble Company	2-07-1991	(Claim 1)	
		WO	93/05767	A1	Micro Vesicular Systems, Inc.	4-01-1993	(Equivalent to AU 655072)	
		WO	96/12468	A1	The Procter & Gamble Company	5-02-1996	(Equivalent to EP 790820)	

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Sheet 4 of 4

<b>Application Number</b>	09/676,876
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<b>Examiner Name</b>	K.M.George
<b>Attorney Docket Number</b>	JBP-521

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<b>Examiner Signature</b>	<b>Date Considered</b>	
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